

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

MARCUS O. ALLEN,

Plaintiff,

v.

CHRISTOPHER A. WRAY,
Director, Federal Bureau of Investigation,

Defendant.

Case No. 0:22-cv-04536-MGL

JOINT STATUS REPORT

Plaintiff Marcus Allen brought this action challenging the temporary suspension of his top-secret security clearance by the Federal Bureau of Investigation (“FBI”) pending a determination whether that clearance would be revoked. Since the filing of Plaintiff’s complaint before the Court, the FBI completed its investigation and issued a decision revoking Plaintiff’s clearance. *See* ECF No. 35. The FBI’s revocation letter advised Plaintiff of his ability to request—through an administrative process independent of any claims asserted in this action—the documents underlying the revocation decision and to seek reconsideration within 30 days of receipt of the letter or the requested documents, whichever is later. ECF No. 35-1 at 2. After receiving the FBI’s revocation letter, Plaintiff submitted his document request to the FBI. (He has not sought to amend or supplement his complaint in this action.) In light of these administrative developments, the Court stayed this case until further notice, *see* ECF No. 38, and the parties informed the Court that the FBI anticipated processing Plaintiff’s document request within three to four months of July 5, 2023, *see* ECF No. 42.

In accordance with the separate administrative process applicable to Plaintiff’s document request and the Court’s July 10 order for the parties to submit a joint status report, *see* ECF No. 45, the FBI reports that it anticipates completing its entire production of documents by September

15, 2023. Upon receipt and review of those documents, Plaintiff will decide whether to seek administrative reconsideration or pursue some other relief.

Accordingly, the parties respectfully propose that the Court order the parties to file a joint status report on or before October 27, 2023, with an update on where any administrative proceedings stand at that time.

Respectfully submitted,

/s/ Ruth C. Smith

Ruth C. Smith, Attorney
Elmore and Smith Law Firm
79 Woodfin Place, Suite 103
Asheville, NC 28801
(828) 367-7998 (ph.)
(828) 367-7991 (fax)
ruth@mywncattorney.com

James F. Peterson*
Kathryn Brooke Blankenberg*
JUDICIAL WATCH, INC.
425 Third Street, S.W., Suite 800
Washington, DC 20024
Tel.: (202) 646-5175
jpeterson@judicialwatch.org
kblankenberg@judicialwatch.org

* Admitted *pro hac vice*

Counsel for Plaintiff

Dated: September 5, 2023

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ADAIR FORD BOROUGHS
United States Attorney

CHRISTOPHER R. HALL
Assistant Branch Director

/s/ Sarah M. Suwanda

SARAH M. SUWANDA (D.C. Bar No.
1685531)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, D.C. 20005
Tel.: (202) 305-3196
Fax: (202) 616-8460
Email: sarah.m.suwanda@usdoj.gov

Counsel for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on this date, September 5, 2023, I caused a true and correct copy of this joint status report to be served on counsel of record by delivering it electronically through the Court's electronic filing system.

/s/ Sarah M. Suwanda

Trial Attorney

U.S. Department of Justice

Counsel for Defendant